

REMARKS

This is a full and timely response to the Office Action mailed February 13, 2006. Reexamination and reconsideration are respectfully considered.

Claims

Claims 1-7 and 15-20 are pending in this application following the election filed on August 3, 2005. Each of the elected claims was rejected as allegedly being anticipated by the U.S. Patent Publication to Irie, No. 2003/0138742, actually published on July 24, 2003, a date later than the actual filing date of this application. The Irie '742 publication is based on an application actually filed on November 19, 2002, a date which is later than the Applicant's Japanese priority date of June 28, 2002. Accordingly, Irie '742 as cited is not available as a reference against the claims of this application. A certified copy has been requested and will be filed under MPEP 201.15 as soon as received.

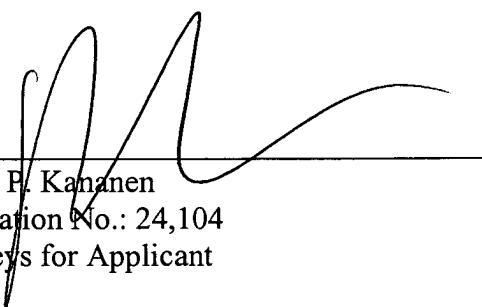
However, Irie is continuation-in-part of Application No. 09/827,946 filed on April 9, 2001, a date earlier than the priority date for this application. That document was published on December 27, 2001 as US 2001-0055733 A1, a copy of which is submitted by the accompanying IDS. Thus, it would appear that the Irie '946 publication is not antedated by the Applicant's priority submission.

While no rejection has been explicitly made on the basis of the abandoned Irie '733 publication, it is noted that the disclosure only encompasses paragraphs [0001] to [0165] and claims 1 to 35. Thus, there is not disclosure apparently corresponding to the cited paragraphs [0175], [0201], [0202], [0203], and [0204] of the Irie CIP publication. Thus, the statements of the anticipation rejection as presented cannot be applicable to the Irie CIP publication.

The examiner is invited to reconsider the stated rejection on the basis of the more limited Irie '733 publication here presented. If it is concluded that the Irie '733 publication is apt and applicable to any claims in view of its more limited disclosure, a new non-final action is respectfully solicited.

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Respectfully submitted,

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In the event additional fees are necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 180013 for any such fees; and applicants hereby petition for any needed extension of time.